



Minutes

Working Group 1 West of Scotland and Western Approaches

Wednesday 8 July 2015 - 11:30 - 13:30

Conference Room 01, Victoria Quay, Edinburgh.

Chairman: John Anderson
Rapporteur: Debbie Crockard

Summary of Actions

- Action 1 – AC to follow up with relevant member states to ask them to make available national data on skates and rays.
- Action 2 – AC to compile a list of detailed questions with regards to the implementation of the Landing obligation that they would like answered and to submit these to the commission as soon as possible.
- Action 3 – AC send a letter to the commission identifying various problems and how quota uplift will be calculated.
- Action 4 – Propose that the EXCOM pull together a focus group across the AC to discuss the MAPs consultation response further.
- Action 5 – Propose that the EXCOM pulls together a focus group across the AC WGs to discuss the MAPs further.
- Action 6 – can the EXCOM propose meetings such as those which were held by the NSAC where the Commission arranged two scoping meetings with managers, scientists and AC around the table to discuss the MAPs and consultation response.

1. Welcome by the Chair (John Anderson)

- Apologies received;
no apologies
- Adoption of the agenda;
agreed as drafted
- Adoption of the report from the last meeting (Bilbao, 23 April)
2nd para – fishery is of importance to French fleet – but there is no Spanish quota for carbonera = saithe – the ‘in Spain’ should be deleted.

2. Action points from the last meeting

Eibhlín – skates and rays – harassed scientists but disappointed to learn that the work that was supposed to be carried out in 2014 was not done (in 2014 time seemed to have been given to do work on spawning areas etc). Requested a meeting. AC to follow up with relevant MS to collate and make available national data to form a basis.

Action 4. – to be revisited later in the agenda.

3. Follow up on the ICES advice

Carmen Fernandez from ICES presented the advice to the AC yesterday – this mirrored the advice that has been presented by national administrations. The Chair gave a brief run through of the advice applicable to WG1.

- Summary of key points relating to area VI
 - Cod** – unchanged biannual advice no directed fishery - 80% discarded,
 - Whiting** – no directed fishery, stocks poor but increasing,
 - Haddock** – some improvement, 25% TAC increase, F uncertain, possible benchmark in 2017, TAC 3932t under MSY or 3225t with no LO.
 - Megrim** – doing well, above MSYBtrigger, F below MSY, 21% increase on 2015, TAC 8567t,
 - Rockall Tusk** – 2015-2016 landings, stock stable, data limited, 329t limit.
 - West of Scotland Cod** – not good, F and SSB in the red,
 - 3 Northern shelf species
 - Haddock Northern Shelf** – TAC 74854t 30% increase in wanted catch, no split proposed – some of the catch may be below MCRS,
 - Saithe** – TAC 75000t 6% decrease in wanted catch
 - Atlantic Hake**– TAC 109 500t 6% increase

- Floor open for discussion

Mike Park pointed out that cod would be a huge problem and as a choke species could potentially close down the fishery. Scottish skippers were interviewed (14) – tried to work out to manage a way around cod. They are considering what else can be done, not simply avoiding small fish – so no TCM, but also temporal/spatial measures as well. Report will be made publicly. Problem may be to get fishermen to commit for a year. ~ 1000-1200 t may be needed. The fishermen predict that they can reduce the catches but maybe not to the level of the recommended TAC. The report will be of a purely informative nature – it will not provide advice. The trial will not begin before next year and will be a complicated one which will require skippers to sign up for a year and will include alterations in fishing patterns.

Hugo González stated that there are some stocks that have room for improvement. All the stocks with zero advice will need a top up because catches and discards will occur? Not sure if fishermen will be able to solve the problem of discards, mesh size increase, effort decrease? Can we ask for proposals from from the AC to address the OTACs?

Laurent Markovic (EU Commission) I agree with you Hugo it is not going to be easy – but the legislation is in place. The Commission does not intend to propose 0 TACs for all species.

The chair noted that the discussion of ICES advice in Working Groups causes an overlap with the general presentation of the advice (on Tuesday). It is proposed to have ICES advice presented by Working group and not in a separate session in order to avoid overlapping.

4. Landing Obligation

Since the last meeting the NWW High level Group (HLG) proposed phasing for the landing obligation. They discussed uplift/top up which will be up to the Member States to distribute.

- NWW Joint recommendation

Regional MS – Phasing haddock for the whitefish fleet (cod/whiting/saithe avoided) and Nephrops proposed. Haddock will be included if more than 10% gadoids are historically caught by a vessel or more than 20% Nephrops in the Nephrops fishery.

The chair pointed out that there is still no clear roadmap for 2017 or 2018 and that the main issue was the definition of fisheries, how will the 10% be calculated? For all stocks or just for the West coast stocks?

The North Sea approach proposes that if your gear is > 100 mm then you're haddock, if you're 80 mm then it is Nephrops (how this will work for multi gear is unclear).

Eibhlin O'Sullivan pointed out that under the current NWW definition of fisheries there is the possibility of one vessel coming under more than one LO, is this the case? It seems yes. She also pointed out that ICES has advise that there cannot be a safe way to implement interspecies flexibility as with the 9% flexibility there is a possibility that the stock may not remain within safe biological limits.

The chair highlighted the importance of knowing what the 10% and 30% applies to before the number of impacted vessels can be calculated.

Mr Markovic (EU commission) replied that the commission required the Member States input to quantify quota top ups. Interspecies flexibility was not chosen as an option in the recommendation so may not be relevant as ICES cannot forecast donor or receiving species.

The chair pointed out that the data should be available through STECF.

Mr Markovic agreed but pointed out that they did not have vessel level information and that the while the data may be available it was not with the commission – he reassured the industry representatives that all vessel data would remain anonymous.

Liane Veitch and Bertie Armstrong reported back from the High Level group meeting that the Commission as well as some of the Member States did not agree with the elective approach: it was felt that there was the possibility for individual businesses to make use of this to work through every quota.

Ms O'Sullivan reported that the Irish Government had informed her that the decision had



been purely made by the commission.

Jacques Pichon asked if all historic data per vessel was to be communicated to the Commission, will they then not be able to change in future? It is important that vessels should not be 'locked into' their historic fishing pattern.

Ms O'Sullivan agreed that this would be an issue if fishermen were subject to rules which applied to their historical fishing practices but not to their current practices.

The Commission representative pointed out that the answer was already available within the Joint Recommendations as corrections could be made to the list of historical track records - but he pointed out that it would be up to the Member State to update this and so this should be clarified with the Member States.

Mr Pichon pointed out that it was not just about gear type, you can be under different landing obligations using the same gear in different areas.

The commission also confirmed that the responsibility of dealing with fish not for human consumption lies with the Member State.

The chair then directed the discussion to the issue of quota uplift, he pointed out that he had been advised that allocation of uplift would be based on relative stability and that it would be up to the Member States to distribute this. The issue of partial quota uplifts was raised to the commission, and the difficulties surrounding the use of the word predominantly in the text.

Mr Markovic responded that the policy states that quota uplifts will be predominantly under the Landings Obligation, but that they currently did not have all the data required to apply this but that it should be available in the STECF database. He stated that there will be no quota uplifts where there is no Landings Obligation.

The chair asked if there would be partial uplifts in some fleets where the landings obligation will apply to some but not all aspects of the fishery – such as nephrops.

Mr Markovic repeated that where there was not a full landings obligation there would be no quota uplift.

Mr Park highlighted that the partial uplift scenario may also apply to the haddock fishery with regards to the TR 1 and TR2 gear types.

Mr Markovic stated that he would seek clarity on this and that uplift would only be considered to this in the joint recommendation, once the TAC is allocated it is the Member States responsibility to distribute it.

Several members expressed concern that if partial uplifts are not included then there may be



situations where vessels are subject to the landing obligation but are not allocated uplift.

Andrew Clayton agreed that the partial versus full uplift concerns were very important and pointed out that the UK government may be more liberal. He highlighted the concerning issue that if a species is subject to a full uplift but there is no landings obligation in place then there is a risk of increased mortality.

Barrie Deas stated that this all hinges on having data on discards estimates, the discard atlas should take this into account, however the information in the discard atlas is not consistent – some data is good some is patchy. If a Member State has done an assessment then this information could be used to plug the gaps.

The commission representative agreed that the best available data would always be used.

Kevin Mc Donnell also highlighted the issue with regards to high survivability and how this would affect the uplift for the whole fishery e.g. pot caught Nephrops.

The commission suggested that the AC compile a list of detailed questions that they would like answered and to submit these to the commission as soon as possible.

Ms Veitch asked how the Commission planned to take into account the de minimus catches for TAC proposals? De minimus provisions for year X will be deducted from the TAC for year X or year X+1 (once the % is used). How is survivability included in the TAC calculation?

The commission responded that it would be factored into the proposal for 2016.

Ms O'Sullivan pointed out that just because de minimus can be used that doesn't mean that it will be.

Tom Bryan-Brown asked if the commission was assuming 100% mortality when calculating de minimus, and if not how will survivability be factored in?

The commission assured the room that if there was evidence in the joint recommendations then this would be taken into account. He also told the group that he would seek clarification on de minimus and to include this in the list of questions.

The chair discussed the redistribution of uplift within Member States and how this will be done to ensure that a national asset is retained, to make sure that it is not a speculative asset and to adopt good practice.

He pointed out the three options available to Scottish industry:

- 1- Uplift transfer to PO's to allocate based on existing allocations or recent landings
- 2- PO's distribute after meeting species requirements.
- 3- Governments allocate quota to vessels directly who meet criteria.

He queried what other Member States were proposing?

Ms O’Sullivan pointed out that it would be difficult to get consensus between Member States and confirmed that Ireland have not come to a decision yet on how it will be distributed but that it is likely to be different to Scotland, she made clear that quota is a national resource.

Jesús Lourido García confirmed that in Spain the uplift redistribution has not been discussed but that they are interested in what other Member States are doing.

Mr Deas pointed out that in England this is a very contentious subject and that there are difficulties in alignment not only between different Member States but between different regions within Member States. He pointed out that by distributing quota uplift in the way that the commission has recommended – the quota going to those fisheries with a discard problem - we would be supporting low selectivity fisheries. He thought that there would be little chance of agreement in the AC on the national implementation.

The commission representative agreed with Barrie about the problem of rewarding discarding but that this would ultimately be up to Member States. He suggested that the AC send a letter to the commission identifying various problems and how quota uplift will be calculated.

Mr Pichon pointed out that before we can think about how the uplift will be distributed we first need to know how it will be calculated.

The commission representative confirmed that before they can make it public they also need to know how it will be calculated.

The other items in this section were skipped due to time constraints and the Chair moved discussion forward on to the next agenda item.

5. Multi-Annual Plans

The chair introduced the MAPs describing the co legislators mixed fishery document which describes flexibilities making it possible to target species with TACs with alternative management for problem species not based on MSY such as area closures and OTACs. The commission replied that the document being discussed arose from discussions between the European Parliament and the Council. It is important to still follow article 4.2.2 and 4.3.3, he was unsure of the provisions mentioned by the chair but made clear that the CFP states that when MSY is not available the precautionary approach must be applied.

The chair proposed pulling together a focus group across the AC to discuss the MAPs consultation response further. Topics to be discussed include will the AC send one response or will everybody reply themselves?



Mr Deas reported that the taskforce report is important and would be required to go to codecision. He pointed out that the DAMARA project may help make tradeoffs for coherence between target TACs. He suggested that the WG make a recommendation to EXCOM for a broader AC group to address MAPs going forward.

Mr Clayton stated that he did not agree with different objectives for different fisheries and directed the group to Article 2.2 of the CFP.

The commission representative confirmed that the status of the taskforce documents was under dispute and had no legal implications for now.

Mr Deas pointed out that the taskforce points to the use of F-ranges.

The chair described the situation in the NSAC where the Commission arranged two scoping meetings to look at this – with managers, scientists and AC around the table. Can the NWWAC have a meeting like that? He suggested that this be taken to the EXCOM.

Consultation ends on the 10th of September.

Mr González stated that he thought he may be playing devils advocate but wanted to ask why we are implementing MAPs in the first place?

The commission representative pointed out that implementing MAPs was not up for discussion – they were in the CFP and therefore would be implemented. They should provide stability for the sector and are already in place in some areas.

Stephan Beaucher pointed out that short term management has led us to the situation that we are currently in and that MAPs should provide visibility of activities of fishing vessels.

6. WG1 Work programme year 10 – see annex

- Not dealt with.

7. Summary of actions and proposals to be put forward to the Executive Committee by the Rapporteur

See Summary on page 1.

The chair closed the meeting and thanked the members and interpreters.



Annex 1 – List of Participants

Members WG1		
John	Anderson	Scottish Fishermen's Organisation
Anne-Margaret	Anderson	The Scottish White Fish Producers Association
Bertie	Armstrong	Scottish Fishermen's Federation
Tom	Bryan-Brown	Mallaig and North West Fishermen's Association
Kara	Brydson	Royal Society for the Protection of Birds
Kevin	Charlot	CNPMEM
Andrew	Clayton	The Pew Charitable Trusts
Juan Carlos	Corrás Arrias	Pescagalicia Arpega
John	Crudden	European Anglers Alliance
Barrie	Deas	National Federation of Fishermen's Organisations
Ross	Dougal	Scottish Fishermen's Federation
Marc	Ghiglia	Union des Armateurs de la Pêche en France
Hugo	González	Asociación Nacional de Armadores de Pesca de Gran Sol (ANASOL)
Jacques	Pichon	Association Nationale des Organisation des Producteurs
Marina	Le Gurun	Blue Fish
Jesús A.	Lourido García	Puerto de Celeiro S.A. OPP-77
John	Lynch	Irish Fishermen's Organisation
Kevin	McDonnell	West of Scotland Fish Producers Organisation
Francis	O'Donnell	Irish Fish Producers Organisation
Eibhlin	O'Sullivan	Irish South & West FPO
José Luis	Otero	Lonja de la Coruña
Mike	Park	The Scottish White Fish Producers Association
Mercedes	Rodríguez Moreda	OPP-07-LUGO
Observers		
Stéphan	Beaucher	Consultant
Hugo	Boyle	Irish South & East FPO
Debbie	Crockard	Seas at Risk
Dave	Cuthbert	New Under Ten Fishermen's Association
Gonzague	De Moncuit	Ministère de l'écologie, du développement durable et de l'énergie
Siobhán	Egan	Birdwatch Ireland
Marta	García Merchán	Ministerio de Agricultura, Alimentación y Medio Ambiente
Iain	Glasgow	DEFRA
Mindaugas	Kisieliauskas	European Commission
Daniel	Lefèvre	CRPMEM de Basse Normandie
Laurent	Markovic	European Commission
Glenn	Quelch	European Fisheries Control Agency
Liane	Veitch	ClientEarth
Johnny	Woodlock	Irish Seal Sanctuary
Paul	Trebilcock	CFPO
Jim	Portus	SWFPO
Olivier	Le Nezet	CRPMEM Bretagne
Heather	Stewart	Marine Scotland
NWWAC Secretariat		
Conor	Nolan	Executive Secretary
Barbara	Schoute	Deputy Executive Secretary
Joanna	McGrath	Executive Assistant - Finance & Administration